

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
MIDDLE DIVISION**

AUNDRA DEBREL BOYKINS,)	
)	
Plaintiff,)	
)	
v.)	Case No.: 4:19-cv-01934-ACA
)	
JEFFERSON DUNN, <i>et al.</i> ,)	
)	
Defendants.)	
)	

MOTION TO FILE UNDER SEAL

Plaintiff Aundra Debrel Boykins (“Plaintiff”) hereby moves this Court to file portions of his evidentiary submission, in response to the motions for summary judgment filed by Defendants Jefferson Dunn, Guy Noe, Dewayne Estes, and Marc Walker (collectively, “Defendants”), under seal pursuant to the Administrative Procedures for Filing, Signing, and Verifying Pleadings and Documents in the District Court Under the Case Management/Electronic Case Files System in Civil Cases (“Administrative Procedures”), the parties’ Stipulated Protective Order [ECF 77], and this Court’s Order dated February 17, 2023 (“Briefing Schedule”) [ECF 144]. As grounds for and in support of this motion, Plaintiff states as follows:

1. Per the Briefing Schedule, Plaintiff will serve to Defendants, via email, his memoranda of law and proposed evidentiary submissions in response to Defendants’ motions for summary judgment on March 20, 2023. ECF 144. The

documents submitted via email on March 20 will be annotated to reflect any information Plaintiff proposes to file under seal.

2. The Briefing Schedule also requires Plaintiff to file a motion on March 20, 2023, requesting to file under seal any exhibits in Plaintiff's evidentiary submission and the good causes basis for the request. ECF 144.

3. Plaintiff has identified information in his evidentiary submission as "Confidential" information as defined under paragraph 3(b) of the Stipulated Protective Order, which requires protection from public disclosure falling under the following categories:

- a. Personal identifying information and personal health information;
- b. Names and/or photographs of current and/or former Alabama Department of Corrections ("ADOC") inmates who were victims of inmate-on-inmate violence, including sexual violence; and
- c. Information that would likely jeopardize Plaintiff's safety, including information that could subject him to retaliation by ADOC inmates and/or staff.

4. Plaintiff has good cause to request permission to file materials containing the above information under seal.

5. First, the Administrative Procedures, Stipulated Protective Order, E-Government Act, and Health Insurance Portability and Accountability Act of 1996

(HIPAA) require Plaintiff to redact personal identifying information and personal health information from public filings.

6. Second, good cause exists to redact the names and/or photographs of current and/or former ADOC inmates who were victims of inmate-on-inmate violence, including sexual violence because public disclosure of this information could subject the victims to retaliation or additional mistreatment. Further, this Court previously determined that such information should be protected from public disclosure and ordered that the Correctional Officials should redact such information from their evidentiary submission in support of their motion for summary judgment.

7. Third, good cause exists to redact information that would likely jeopardize Plaintiff's safety and wellbeing for similar reasons that the names of victims of inmate-on-inmate violence should be redacted. Plaintiff will remain incarcerated within ADOC facilities at least through 2028 (the first year he is eligible for parole), as he is serving a life sentence with eligibility for parole. Plaintiff has already suffered an incident of serious assault at the hands of a fellow inmate, which is the subject of this litigation. Plaintiff has identified limited information within his evidentiary submission that should be protected from public disclosure because it is likely to subject him to retaliation or further serious injury by ADOC inmates and/or staff.

8. Pursuant to this Court's Administrative Procedures, Plaintiff will provide both (i) PDFs via email and (ii) paper copies of the motion to seal and documents

proposed to be redacted and/or sealed (with highlights identifying the information proposed to be protected) to the Court for review. Plaintiff will also serve on Defendants a copy of the motion and highlighted documents.

WHEREFORE, based on the foregoing, the Plaintiff respectfully requests that this Court enter an Order permitting him to file the identified documents under seal in support of his responses to Defendants' motions for summary judgment.

Dated: March 20, 2023

/s/ J.S. "Chris" Christie, Jr.
J.S. "Chris" Christie, Jr. (ASB-3162-H07J)

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CERTIFICATE OF SERVICE

I hereby certify that on this 20th day of March, 2023, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system.

/s/ J.S. “Chris” Christie, Jr.

J.S. “Chris” Christie, Jr.